

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

DAVID KYLE ALDRED,)
)
Plaintiff,)
)
v.) Case No. 1:15-cv-02196-LSC-SGC
)
SHERIFF DENNIS GREEN, et al.,)
)
Defendants.)

ORDER

The magistrate judge entered a report on March 1, 2017, recommending all claims in this action be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b) for failing to state a claim upon which relief can be granted, except the Fourteenth Amendment claims against Defendants Green and Kilgore in their individual capacity and certain claims against the Cleburne County Jail's female LPN. (Doc. 48). The magistrate judge further recommended the surviving claims be referred back to the magistrate judge for further proceedings. (*Id.* at 27).

Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report

is hereby **ADOPTED** and the recommendation is **ACCEPTED**. The court **ORDERS** that all of the plaintiff's claims are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b) except: the Fourteenth Amendment claims against Green and Kilgore, in their individual capacity, and the Cleburne County Jail's female LPN concerning the denial of medical and mental health care for the plaintiff's ruptured disc, schizophrenia, delusions and bi-polar disorder between September 2015 and March 2016. The court further **ORDERS** that the surviving claims be referred to the magistrate judge for further proceedings.

DONE AND ORDERED ON APRIL 6, 2017.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
160704